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officielle

^{DU}
Québec

Part

2

No. 35

2 September 2009

Laws and Regulations

Volume 141

Summary

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Contents

Part 2 contains:

- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
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- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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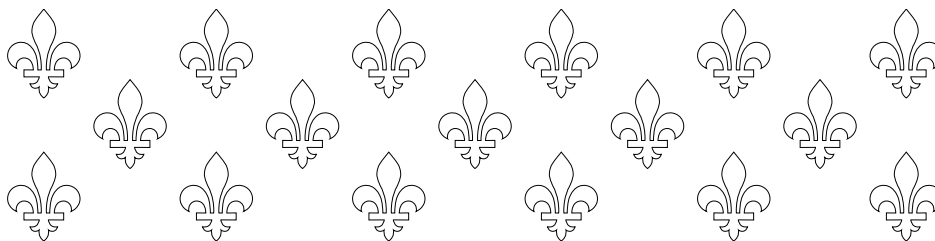
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NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 200

(Private)

An Act respecting Ville de Malartic

Introduced 17 March 2009

Passed in principle 18 June 2009

Passed 18 June 2009

Assented to 19 June 2009

**Québec Official Publisher
2009**

Bill 200

(Private)

AN ACT RESPECTING VILLE DE MALARTIC

AS the Osisko Mining Corporation intends to build an open-pit mine in part of the southern sector of Ville de Malartic and must consequently relocate 205 residential immovables;

AS several households have been encouraged to relocate their houses to a new neighbourhood;

AS the Osisko Mining Corporation initiated the relocation;

AS the citizens must not be penalized by this situation;

AS it is in the interest of Ville de Malartic that it be granted certain powers;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Ville de Malartic may, by by-law, adopt a financial assistance program for the owners of the residential immovables relocated in part of its territory because of the Osisko Mining Corporation project.

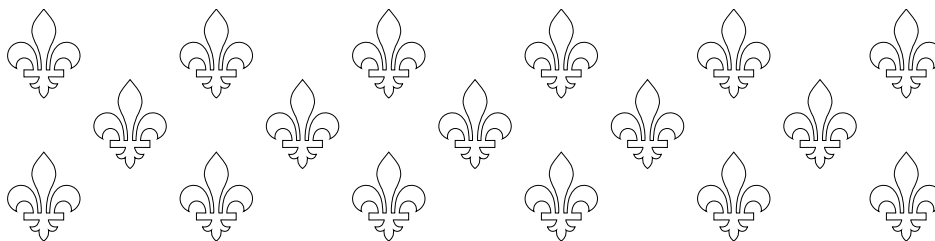
The program may determine the nature of the financial assistance that may be granted.

The eligibility period for the program may not extend beyond 31 December 2012.

The total financial assistance may not exceed \$181,000.

The council sets the terms and conditions of the program.

2. This Act comes into force on 19 June 2009.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 201

(Private)

An Act respecting Ville de Boucherville

Introduced 12 March 2009

Passed in principle 18 June 2009

Passed 18 June 2009

Assented to 19 June 2009

**Québec Official Publisher
2009**

Bill 201

(Private)

AN ACT RESPECTING VILLE DE BOUCHERVILLE

AS it is in the interest of Ville de Boucherville that a special tax levied under certain by-laws it adopted be validated;

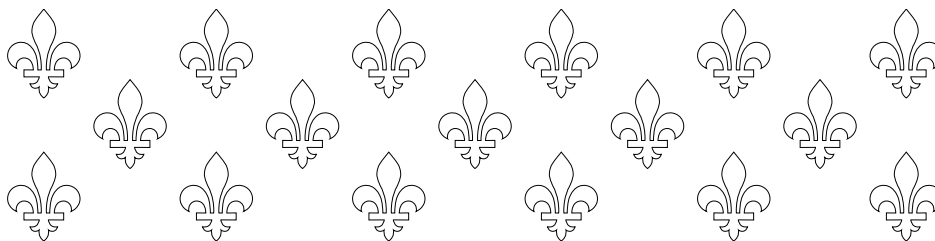
THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The special tax levied under section 3 of municipal by-laws 1895 and 1896 may not be invalidated on the ground that it was not levied in accordance with those by-laws as regards the tax base.

The collection role relating to the special tax may not be invalidated on the ground that it was not prepared according to law.

2. This Act does not affect cases pending on 26 August 2008.

3. This Act comes into force on 19 June 2009.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 204

(Private)

An Act respecting Ville de Brownsburg-Chatham

Introduced 1 April 2009

Passed in principle 18 June 2009

Passed 18 June 2009

Assented to 19 June 2009

**Québec Official Publisher
2009**

Bill 204

(Private)

AN ACT RESPECTING VILLE DE BROWNSBURG-CHATHAM

AS Ville de Brownsburg-Chatham results from the amalgamation of Village de Brownsburg and Canton de Chatham under Order in Council 1112-99 dated 29 September 1999;

AS the city wishes to amend the taxation clauses in certain by-laws mentioned in the order to have those who benefit from the goods, services or activities financed under the by-laws contribute toward those goods, services or activities;

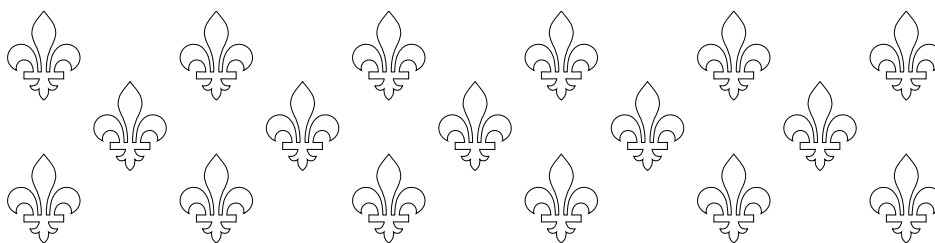
THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The council of Ville de Brownsburg-Chatham may, in accordance with section 565 of the Cities and Towns Act (R.S.Q., chapter C-19) and despite sections 18 and 19 of Order in Council 1112-99 dated 29 September 1999, amend the taxation clauses in the by-laws to which those sections apply in order to determine the source of the revenues to be used to repay the loans made under the by-laws.

In the case of an amendment to By-law 235-95 of the former Village de Brownsburg, the first paragraph allows the city to levy moneys retroactively from the Saint-Philippe sector as described in By-law 133-2007 of the city. The moneys may not, however, be levied for a period prior to the first time moneys were levied under that by-law.

The treasurer prepares a special collection roll for the purpose of collecting moneys under the second paragraph.

2. This Act comes into force on 19 June 2009.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 205

(Private)

**An Act respecting Ville de
Saint-Hyacinthe and Ville de Shawinigan**

Introduced 23 April 2009

Passed in principle 18 June 2009

Passed 18 June 2009

Assented to 19 June 2009

**Québec Official Publisher
2009**

Bill 205

(Private)

AN ACT RESPECTING VILLE DE SAINT-HYACINTHE AND VILLE DE SHAWINIGAN

AS Ville de Saint-Hyacinthe and Ville de Shawinigan were constituted under Order in Council 1480-2001 dated 12 December 2001 and Order in Council 1012-2001 dated 5 September 2001, respectively;

AS, under those Orders in Council, the cities could, within a certain time limit, use a fast-track procedure to amend zoning and subdivision by-laws applicable in their territory;

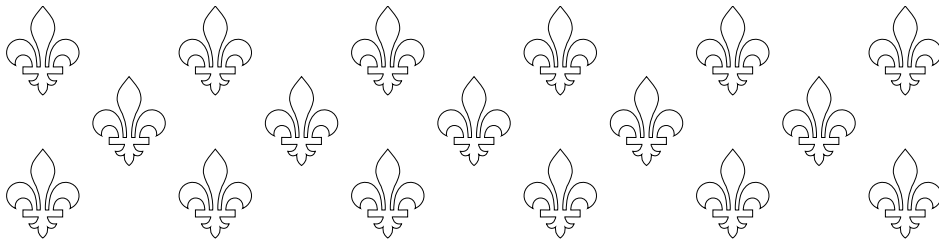
AS it is necessary to extend the time limit given that the cities were unable to meet it for various reasons;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 44 of Order in Council 1480-2001 dated 12 December 2001, the order constituting Ville de Saint-Hyacinthe, is amended by replacing “within four years of the coming into force of this Order in Council” in the first paragraph by “not later than 31 December 2010”.

2. Section 86 of Order in Council 1012-2001 dated 5 September 2001, the order constituting Ville de Shawinigan, is amended by replacing “within five years of the constitution of the city” in the first paragraph by “not later than 31 December 2010”.

3. This Act comes into force on 19 June 2009.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 206

(Private)

**An Act to amend the Act to amend the
charter of La Mutuelle Ecclésiastique
d'Ottawa**

Introduced 28 April 2009

Passed in principle 18 June 2009

Passed 18 June 2009

Assented to 19 June 2009

**Québec Official Publisher
2009**

Bill 206

(Private)

AN ACT TO AMEND THE ACT TO AMEND THE CHARTER OF LA MUTUELLE ECCLÉSIASTIQUE D'OTTAWA

AS La Mutuelle d'Église de l'Inter-Ouest was incorporated on 16 March 1916 under the Act to incorporate "*L'Association d'Assurance Mutuelle des paroisses et des maisons d'éducation et de charité de la vallée de l'Ottawa*" (1916, 6 George V, chapter 100);

AS the Act to amend the charter of La Mutuelle Ecclésiastique d'Ottawa (1944, 8 George VI, chapter 79) enabled the legal person to be continued under the name of "L'Assurance Mutuelle des Fabriques d'Ottawa";

AS the legal person subsequently changed its name to "La Mutuelle d'Ottawa – Assurance d'Église" under Special By-law No. 1 adopted at a special meeting on 25 October 1977 and approved by the Minister of Consumers, Cooperatives and Financial Institutions on 16 February 1978, notice of which was published in the *Gazette officielle du Québec* dated 11 March 1978 (Avis, (1978) 110 G.O. 1, 3289);

AS, under section 2 of the Act respecting the special powers of legal persons (R.S.Q., chapter P-16), the legal person again changed its name to "La Mutuelle d'Église de l'Inter-Ouest", notice of which was published in the *Gazette officielle du Québec* dated 25 January 1992 (Avis, (1992) 124 G.O. 1, 275);

AS it is expedient to enact amendments to the Act to amend the charter of La Mutuelle Ecclésiastique d'Ottawa, in order to, among other things, give the legal person greater powers and enable it to better meet its current and future needs;

AS it is in the interest of the legal person that the latter Act be amended accordingly;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 1 of the Act to amend the charter of La Mutuelle Ecclésiastique d'Ottawa (1944, 8 George VI, chapter 79) is amended by replacing "is continued under the name of "L'Assurance Mutuelle des Fabriques d'Ottawa" by "then continued under the name of "L'Assurance Mutuelle des Fabriques d'Ottawa", which name was changed to that of "La Mutuelle d'Ottawa – Assurance d'Église" by the Minister of Consumers, Cooperatives and Financial

Institutions on the 16th of February, 1978, and then, on the 25th of January, 1992, to that of “La Mutuelle d’Église de l’Inter-Ouest” under section 2 of the Act respecting the special powers of legal persons (R.S.Q., chapter P-16), shall henceforth bear the name of “L’Assurance Mutuelle de l’Inter-Ouest”.

2. Section 4 of the Act is amended

(1) by replacing “corporate seat” by “head office”;

(2) by replacing “the city of Hull” by “Ville de Gatineau”.

3. Section 7 of the Act is replaced by the following section:

“**7.** The corporation may make, amend or repeal by-laws concerning its activities or its internal management.”

4. Section 8 of the Act is replaced by the following section:

“**8.** The corporation shall have the capacity conferred on a legal person by the Civil Code.”

5. Section 9 of the Act is replaced by the following section:

“**9.** The corporation shall be authorized to transact damage insurance in the property insurance and liability insurance classes, including reinsurance business, for

(1) corporations constituted under the Religious Corporations Act (R.S.Q., chapter C-71);

(2) legal persons or companies constituted by a special Act for an object mentioned in section 2 of the Religious Corporations Act;

(3) legal persons or companies whose objects are limited to holding or administering property of corporations, legal persons or companies described in paragraph 1 or 2;

(4) fabriques constituted under the Act respecting fabriques (R.S.Q., chapter F-1);

(5) non-profit legal persons having a national, patriotic, religious, philanthropic, charitable, scientific, artistic, social, professional, athletic, sports-related or other similar purpose and constituted or incorporated under, or subject to, the Cooperatives Act (R.S.Q., chapter C-67.2), the Canada Cooperatives Act (Statutes of Canada, 1998, chapter 1), Part III of the Companies Act (R.S.Q., chapter C-38) or Part II of the Canada Corporations Act (Revised Statutes of Canada, 1970, chapter C-32); and

(6) legal persons or companies constituted by a special Act and having a structure and goal similar to those of the entities described in paragraph 5.”

6. Section 11 of the Act is amended by replacing “bureau de direction” in the French text by “conseil d’administration”.

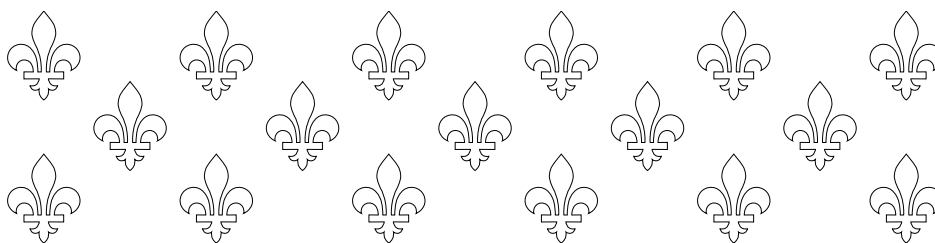
7. Section 12 of the Act is amended by replacing “bureau de direction” in the French text by “conseil d’administration” and by replacing “elected for four years by the general meeting” by “elected by the general meeting for a term of up to three years set by the corporation’s by-laws”.

8. Section 14 of the Act is amended by replacing “directeurs” in the French text by “administrateurs”.

9. Section 15 of the Act is replaced by the following section:

“**15.** The Act respecting insurance (R.S.Q., chapter A-32) applies to the corporation.”

10. This Act comes into force on 19 June 2009.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 208
(Private)

An Act concerning an immovable occupied by Ville de Boucherville

**Introduced 7 May 2009
Passed in principle 18 June 2009
Passed 18 June 2009
Assented to 19 June 2009**

**Québec Official Publisher
2009**

Bill 208

(Private)

AN ACT CONCERNING AN IMMOVABLE OCCUPIED BY VILLE DE BOUCHERVILLE

AS it is in the interest of Ville de Boucherville that its title of ownership to the immovable used by Club d'aviron de Boucherville be regularized and that it be granted certain powers to allow a building redesign project to be carried out on the immovable;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Ville de Boucherville becomes the owner of the immovable described in Schedule 1.

2. The Minister responsible for the cadastre must register the immovable referred to in section 1 on application by the city.

The formalities set out in Chapter I of Title Four of Book Nine of the Civil Code of Québec (1991, chapter 64) apply, with the necessary modifications, in order to give full effect to this Act.

3. This Act is to be published by registering a notice referring to it in the land register.

The notice is to be registered together with a true copy of this Act.

4. The city has a notice published twice in a newspaper in its territory. The notice must

(1) identify the immovable referred to in section 1 by including the description in Schedule 1, the lot number assigned to the immovable at the time of its registration and the name of the public road concerned;

(2) refer to this Act and mention the date of its registration in the land register in accordance with section 3 and the fact that the city has become the owner of the immovable; and

(3) reproduce the text of section 5 and make the necessary links with the purpose of the notice.

The first publication must be made within 60 days after the registration under section 3. The second publication must be made after the 60th and not later than the 90th day following the first.

5. A real right that could be asserted in respect of the immovable described in Schedule 1 is extinguished as of the registration under section 3.

The holder of a real right extinguished under the first paragraph may, however, claim compensation from the municipality for the loss of the right. Failing an agreement, the amount of the compensation is determined by the Administrative Tribunal of Québec on the application of the claimant or the city, and sections 58 to 68 of the Expropriation Act (R.S.Q., chapter E-24) apply, with the necessary modifications.

The right to compensation under the second paragraph is prescribed three years after the second publication of the notice in accordance with section 4.

6. Despite any provision to the contrary with respect to the protection of lakeshores, riverbanks, littoral zones and floodplains, the city may authorize or carry out the demolition of the existing buildings and works on the immovable described in Schedule 1 and on lot 2 279 672 of the cadastre of Québec and the construction, on the same immovables, of new facilities that are necessary for the activities of Club d'aviron de Boucherville and substantially the same as those described in the application for a certificate of authorization made by the city on 30 October 2008 under section 22 of the Environment Quality Act (R.S.Q., chapter Q-2).

7. This Act comes into force on 19 June 2009.

SCHEDULE 1

(Section 1)

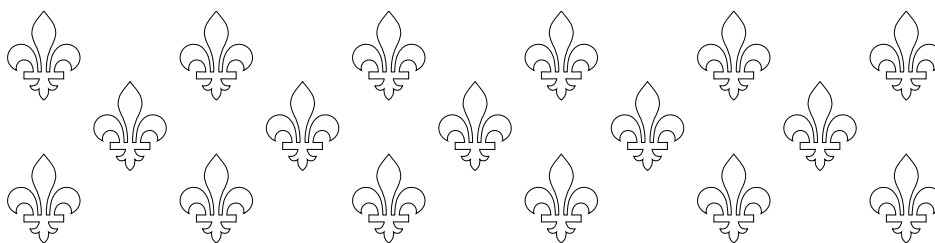
A territory without a cadastral survey, adjacent to lots 2 275 063 and 2 279 672 (boul. Marie-Victorin) of the cadastre of Québec, delimited as follows:

The point of commencement is situated at the intersection of the west and east limits of lot 2 275 063.

From the point of commencement so determined, bounded easterly by lot 2 279 672 (boul. Marie-Victorin) on a bearing of $185^{\circ}14'19''$ for a distance of seventy-six centimetres (0.76 m) to a point; thence, bounded easterly by lot 2 279 672 (boul. Marie-Victorin) on a bearing of $177^{\circ}36'10''$ for a distance of fifty metres and forty-nine centimetres (50.49 m) to a point; thence, bounded southerly by the St. Lawrence River (territory without a cadastral survey) on a bearing of $272^{\circ}17'55''$ for a distance of twenty-three metres and eighty centimetres (23.80 m) to a point; thence, bounded westerly by the St. Lawrence River (territory without a cadastral survey) along a sinuous line for a distance of seventy metres and fifty-three centimetres (70.53 m) whose chord measures seventy metres and six centimetres (70.06 m) on a bearing of $359^{\circ}54'26''$ to a point; thence, bounded northerly by the St. Lawrence River (territory without a cadastral survey) on a bearing of $92^{\circ}17'55''$ for a distance of twenty-one metres and ninety-six centimetres (21.96 m) to a point; thence, bounded easterly by lot 2 275 063 on a bearing of $180^{\circ}16'49''$ for a distance of eighteen metres and ninety-three centimetres (18.93 m) to the point of commencement.

The portion of land contains an area of one thousand six hundred and fifty square metres and nine tenths, International System.

Area: 1,650.9 m²



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 209

(Private)

An Act respecting Ville de Gaspé

Introduced 7 May 2009

Passed in principle 18 June 2009

Passed 18 June 2009

Assented to 19 June 2009

**Québec Official Publisher
2009**

Bill 209

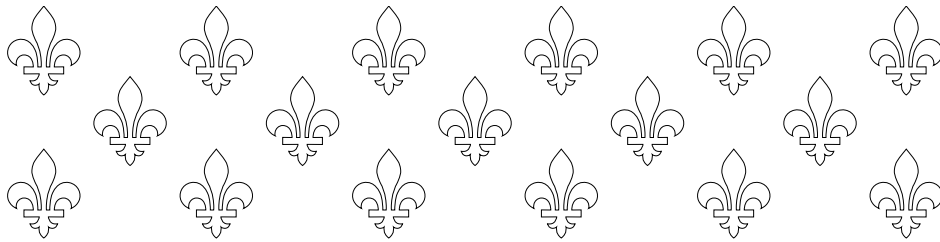
(Private)

AN ACT RESPECTING VILLE DE GASPÉ

AS it is in the interest of Ville de Gaspé that certain powers be granted to it so that it may participate in the construction of rental dwellings to alleviate the housing shortage in its territory and promote its economic development;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Despite the Municipal Aid Prohibition Act (R.S.Q., chapter I-15), Ville de Gaspé may, by by-law, adopt a housing program. Under the program, it may participate in the construction of rental dwellings and the renovation of existing rental dwellings.
- 2.** The housing program may, among other things, determine the nature of the financial assistance that may be granted.
- 3.** The eligibility period for the program may not extend beyond 31 December 2015.
- 4.** The total amount of financial assistance granted in the form of a subsidy or tax credit may not exceed \$3,000,000. The city may, by by-law approved by the Minister of Municipal Affairs, Regions and Land Occupancy, increase that amount or extend the duration of the program.
- 5.** The council sets the terms and conditions of the program.
- 6.** To secure the performance of the obligations of beneficiaries under the program, protect the value of an immovable and ensure its conservation, the city may, among other things, require a hypothec or other real right or share in the revenues of the immovable and in the appreciation in the value of the immovable attributable to the work.
- 7.** This Act comes into force on 19 June 2009.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 210

(Private)

**An Act respecting Ville de Sainte-
Catherine-de-la-Jacques-Cartier and
Ville de Lac-Sergent**

Introduced 12 May 2009

Passed in principle 18 June 2009

Passed 18 June 2009

Assented to 19 June 2009

**Québec Official Publisher
2009**

Bill 210

(Private)

AN ACT RESPECTING VILLE DE SAINTE-CATHERINE-DE-LA-JACQUES-CARTIER AND VILLE DE LAC-SERGENT

AS it is in the interest of Ville de Sainte-Catherine-de-la-Jacques-Cartier and Ville de Lac-Sergent that urban development patterns in the lac Sergent watershed be remedied and redirected in keeping with the principle of sustainable development and that, for that purpose, public ownership of parts of the roadbeds of roads located in the watershed be regularized;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Ville de Lac-Sergent is deemed to have been empowered to acquire the parts of the roadbed of Chemin Tour-du-Lac-Sud made up of lots 3 515 867, 3 515 865, 3 515 858, 3 515 832, 3 515 830, 3 515 822 and 3 515 818 of the cadastre of Québec and the part of the roadbed of Chemin de la Montagne made up of lots 3 515 857 and 3 515 851 of the cadastre of Québec in the territory of Ville de Sainte-Catherine-de-la-Jacques-Cartier. Those lots form part of the private land of Ville de Lac-Sergent.

2. Ville de Lac-Sergent must, in 2009, repair the part of the roadbed, including the roadway and drainage ditches, of Chemin Tour-du-Lac-Sud made up of lots 3 515 867, 3 515 865 and 3 515 858 in order to solidify it and increase its bearing capacity so that it may subsequently be paved with bituminous concrete. For that purpose, Ville de Lac-Sergent must invest \$200,000 and Ville de Sainte-Catherine-de-la-Jacques-Cartier must pay any additional amount required to defray the cost of the repair work.

3. Once the work described in section 2 is completed and not later than 31 January 2010,

(1) Ville de Lac-Sergent must transfer to Ville de Sainte-Catherine-de-la-Jacques-Cartier, free of charge, the parts of the roadbed of Chemin Tour-du-Lac-Sud identified in section 1; and

(2) Ville de Sainte-Catherine-de-la-Jacques-Cartier must declare open as a public street the parts of the roadbed of Chemin Tour-du-Lac-Sud made up of lots 3 515 867, 3 515 865, 3 515 858, 3 515 832, 3 515 830, 3 515 822 and 3 515 818.

4. Ville de Sainte-Catherine-de-la-Jacques-Cartier must, in 2010,

(1) pave the part of the roadbed of Chemin Tour-du-Lac-Sud identified in section 2 with bituminous concrete; and

(2) do the same repair and pavement work on the part of the roadbed of Chemin Tour-du-Lac-Sud made up of lots 3 515 832 and 3 515 830 as was done on the part of that roadbed made up of lots 3 515 867, 3 515 865 and 3 515 858.

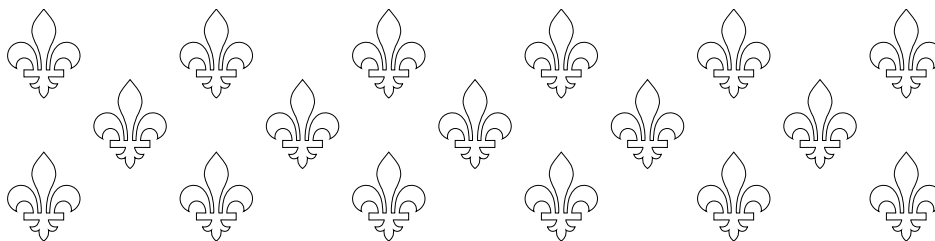
5. Ville de Lac-Sergent must contribute toward the work described in sections 2 and 4 by assuming 40% of the total cost of the work as its share.

The total cost of the work includes the cost of professional services, the cost of materials and labour, and the costs associated with the temporary loan and the 15-year permanent loan for the work described in section 4.

6. No building permit may be issued for land in the part of the territory of Ville de Sainte-Catherine-de-la-Jacques-Cartier made up of lots 3 514 436, 3 514 438, 3 514 465, 3 514 467 and 3 514 472, unless the land borders on a public street served by a sanitary sewer system duly authorized under section 32 of the Environment Quality Act (R.S.Q., chapter Q-2).

7. Section 1 of this Act confers no extraterritorial power on Ville de Lac-Sergent as a public authority, except with respect to the maintenance of Chemin de la Montagne and traffic regulation on that road.

8. This Act comes into force on 19 June 2009.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 212

(Private)

An Act respecting Ville de Mont-Saint-Hilaire

Introduced 13 May 2009

Passed in principle 18 June 2009

Passed 18 June 2009

Assented to 19 June 2009

**Québec Official Publisher
2009**

Bill 212

(Private)

AN ACT RESPECTING VILLE DE MONT-SAINT-HILAIRE

AS it is expedient that Ville de Mont-Saint-Hilaire be granted certain powers;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** The municipality may, in the territory described in the schedule, be declared the owner of an immovable on which municipal taxes have not been paid for three consecutive years.
- 2.** The application is made by a motion presented before the Superior Court sitting in the district in which the immovable is situated. The motion may concern immovables belonging to different owners.

The motion may be granted only after publication, in a newspaper in the territory of the municipality, of a notice requesting all persons who may have rights against the immovables to appear in court within 60 days in order to claim compensation equal to the value of their rights, after deduction of an amount sufficient to pay all outstanding municipal and school taxes, any accrued interest and the costs related to the motion, including publication costs. The compensation claimed may not exceed the actual value of the immovable concerned on the date of coming into force of this Act before the deduction.

Publication of the notice replaces service. The notice must state that it is given under this Act.

The immovables concerned must be described in the motion in accordance with article 3033 of the Civil Code of Québec.

No appeal lies from the judgment rendered on the motion.

- 3.** The municipality becomes the owner of the immovables in respect of which the judgment declaring ownership is published at the registry office, and no claim may subsequently be made against them. The publication gives title to the municipality, the validity of which cannot be contested for any reason. The real rights that may affect the immovables, including prior claims, hypothecs, resolutive clauses or clauses granting rights of cancellation, and servitudes other than public servitudes, are extinguished.

The municipality may draw up a list of the real rights, other than public servitudes, that encumber the immovables described in the judgment declaring ownership, that have been published and that are extinguished under this section, and the registrar cancels the registration of those rights on an application to that effect.

4. To consolidate land in the territory described in the schedule and on which it wishes to promote, ensure or maintain agricultural operations or that it wishes to preserve as a natural area, the municipality may

- (1) acquire an immovable by agreement or by expropriation;
- (2) hold and manage the immovable;
- (3) carry out the required development, restoration, demolition or clearing work on the immovable; and
- (4) alienate or lease the immovable.

5. Acquisition by agreement or by expropriation under section 4 and alienation under section 10 do not constitute an alienation within the meaning assigned by section 1 of the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., chapter P-41.1).

6. The Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1) does not apply to transfers of immovables under section 4.

7. This Act does not operate to limit or prevent the application of all or any of the provisions of a fiscal law within the meaning of section 1 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31).

This Act does not apply to an immovable real right published under an Act, regulation, order in council, order, agreement or arrangement administered by the Minister of Revenue.

8. In addition to any property tax that it may impose and levy on land situated in the territory described in the schedule, the municipality may, by by-law, impose and levy annually on that land a surtax that may be equal to the total property taxes that the municipality may impose and levy on that land for the fiscal year concerned.

The by-law may set a minimum amount for the surtax, which may not exceed \$200. It may also indicate the categories of land subject to the surtax and set different surtax rates for the different categories.

The following land is not subject to the surtax:

- (1) land on which there is a building whose property value exceeds 25% of the property value of the land according to the assessment roll in force;

(2) land owned by a railway undertaking on which there is a railway track;

(3) land used for overhead electric power lines;

(4) land forming part of an agricultural operation registered in accordance with a regulation under section 36.15 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., chapter M-14); and

(5) land that may be used for purposes other than agriculture under an authorization of the Commission de protection du territoire agricole du Québec or that is subject to acquired rights within the meaning of Chapter VII of the Act respecting the preservation of agricultural land and agricultural activities.

9. The municipality must, by by-law, create a financial reserve for the benefit of the territory described in the schedule for the purpose of financing the consolidation of land, and allocate to that reserve the revenue from the surtax imposed under section 8.

The sums from the reserve are to be used solely to further the consolidation of land situated in the territory described in the schedule and its reconversion for agricultural purposes or to preserve the land as a natural area.

The by-law must set out, among other things, the length of time the reserve will exist and the allocation of the amount, if any, by which the income of the reserve exceeds its expenditures. If there is no such provision, any excess amount is paid into the general fund.

10. When, under this Act, the municipality becomes the owner of immovables that are sufficient to be used for genuine and sustained agricultural purposes or to be preserved as natural areas in the territory described in the schedule, it submits a plan to the Minister of Natural Resources and Wildlife entailing the striking out or replacement of the numbers of the lots it owns, in accordance with article 3043 of the Civil Code of Québec.

Every operation under the first paragraph must be authorized by the Minister of Agriculture, Fisheries and Food after the opinion of the Commission de protection du territoire agricole du Québec has been obtained.

Within two years after the authorization required under the preceding paragraph, the municipality must offer for sale, at its actual value, the lot concerned by the cadastral amendment and comprised in parcel 1 or 2 of the territory described in the schedule so that it may be used for agricultural purposes, and must so advise the Minister of Agriculture, Fisheries and Food and the Fédération régionale de l'Union des producteurs agricoles.

If the municipality fails to find a purchaser for a lot at its actual value within the required time, the municipality must so advise the Minister of Agriculture, Fisheries and Food, who may grant an extension to sell the lot or, at the request of the municipal council, authorize the municipality to retain the lot permanently.

The municipality may carry out development, restoration, demolition or clearing work on an immovable it is authorized to retain; it may also use or lease the immovable.

11. The financial reserve created under By-law 1122 of the municipality may also be used to further the consolidation of land situated in the territory described in the schedule and its reconversion for agricultural purposes or to preserve the land as a natural area. The financial reserve may be used, among other things, to acquire land by agreement or by expropriation.

12. This Act does not affect any case pending immediately before its coming into force.

13. The title obtained by the municipality under this Act to immovables situated in the territory described in the schedule may not be contested.

14. This Act comes into force on 19 June 2009.

SCHEDULE

Parcel 1:

All lots or parts of lots of the cadastre of Québec and their successor lots contained within the following boundaries:

Commencing at a point on the southeast limit of lot 2 349 174 at its intersection with the dividing line between lots 1 818 086 and 1 818 184; from that point, southeasterly, the southwest limit of lot 1 818 184 to a point on the north limit of lot 1 817 925 (Grande Allée); from that point, westerly, the north limit of lot 1 817 925 (Grande Allée) to its intersection with the dividing line between lots 1 817 828 and 1 817 897; from that point, northwesterly, the dividing line between lots 1 817 828 and 1 817 897 to the north limit of lot 1 817 828; from that point, westerly, the north limit of lot 1 817 828 to its intersection with the dividing line between lots 1 817 828 and 1 817 821; from that point, southeasterly, the dividing line between lots 1 817 821 and 1 817 828 to its intersection with the north limit of lot 1 817 925 (Grande Allée); from that point, westerly, the north limit of lot 1 817 925 (Grande Allée) to a point on the northeast limit of lot 1 817 718; from that point, northwesterly, the northeast limit of lots 1 817 718 and 3 977 574 to a point on the east limit of lot 1 815 220; from that point, northerly, the east limit of lots 1 815 220, 3 688 571 and 1 815 126 to a point on the southeast limit of lot 2 349 174; from that point, northeasterly, the southeast limit of lot 2 349 174 to the point of commencement. The perimeter so described includes lots 1 817 719 to 1 817 728, 1 817 730 to 1 817 766, 1 817 817 to 1 817 827, 1 817 841 to 1 817 848, 1 817 850 to 1 817 879, 1 817 881 to 1 817 913, 1 817 984 to 1 818 108 and 1 818 110 to 1 818 178, for a total of 419,823.9 square metres.

Parcel 2:

All lots or parts of lots of the cadastre of Québec and their successor lots contained within the following boundaries:

Commencing at a point on the south limit of lot 1 817 925 (Grande Allée) at its intersection with the dividing line between lots 1 817 924 and 1 818 180; from that point, southeasterly, the southwest limit of lot 1 818 180 to a point on the northwest limit of lot 2 348 955; from that point, southwesterly, the northwest limit of lot 2 348 955 to a point on the northeast limit of lot 1 817 716; from that point, northwesterly, the northeast limit of lot 1 817 716 to a point on the south limit of lot 1 817 925 (Grande Allée); from that point, easterly, the south limit of lot 1 817 925 to the point of commencement. The perimeter so described includes lots 1 817 768 to 1 817 816, 1 817 831 to 1 817 840, 1 817 914 to 1 817 921, 1 817 923, 1 817 924, 1 817 926 to 1 817 960 and 1 817 962 to 1 817 979, for a total of 114,556.3 square metres.

Parcel 3:

All lots or parts of lots of the cadastre of Québec and their successor lots contained within the following boundaries:

Commencing at a point on the southeast limit of lot 1 817 577 at its intersection with the dividing line between lots 1 817 488 and 1 817 691; from that point, southeasterly, the northeast limit of lots 1 817 488, 1 817 499, 1 817 506, 1 817 517, 1 817 528, 1 817 539, 1 817 551, 1 817 562, 1 817 573, 1 817 582 to 1 817 588, 1 817 590 to 1 817 598, 1 817 479 to 1 817 487 and 1 817 489 to 1 817 495 to a point on the west limit of lot 1 817 679 (rue Rouillard); from that point, southerly, the west limit of lot 1 817 679 (rue Rouillard) to a point on the north limit of lot 1 817 496; from that point, westerly, the north limit of lots 1 817 496 and 1 817 510 to a point on the east limit of lot 1 817 472; from that point, southerly, the east limit of lot 1 817 472 to its intersection with the dividing line between lots 1 817 508 and 1 817 473; from that point, southeasterly and easterly, the dividing line between lots 1 817 508 and 1 817 473 and the south limit of lots 1 817 948 and 1 817 679 to a point on the west limit of lot 1 818 987 (rue Rouillard); from that point, southerly, the west limit of lot 1 818 987 (rue Rouillard) to a point on the south limit of lot 1 817 473; from that point, westerly, the south limit of lot 1 817 473 to a point on the west limit of lot 1 817 579; from that point, southerly, the west limit of lot 1 817 579 to a point on the north limit of lot 1 817 500; from that point, easterly, the north limit of lot 1 817 500 to a point on the west limit of lot 1 817 668 (rue Rouillard); from that point, southerly, the west limit of lot 1 817 668 to a point on the northeast limit of lot 1 817 576; from that point, northwesterly, the southwest limit of lots 1 817 501, 1 817 502, 1 817 472, 1 817 476, 1 817 474, 1 817 462, 1 817 611, 1 817 449 and 1 817 463 to 1 817 466 to a point on the dividing line between lots 1 817 466 and 1 817 467; from that point, northeasterly, the dividing line between lots 1 817 466 and 1 817 467 to a point on the southwest limit of lot 1 817 449 (rue Boissy); from that point, northwesterly, the southwest limit of lot 1 817 449 to a point on the southeast limit of lot 1 817 673 (boulevard Sir-Wilfrid-Laurier); from that point, northeasterly, the southeast limit of lot 1 817 673 to a point on the dividing line between lots 1 817 449 and 1 817 633; from that point, generally southeasterly, the west limit of lot 1 817 633 and the southwest limit of lots 1 817 633 and 1 817 644 to a point on the dividing line between lots 1 817 449 and 1 817 550; from that point, generally easterly, the south and southeast limits of lot 1 817 644 to a point on the dividing line between lots 1 817 644 and 1 817 655; from that point, northwesterly, the dividing line between lots 1 817 644 and 1 817 655 to a point on the dividing line between lots 1 817 678 and 1 817 655; from that point, northeasterly, the southeast limit of lots 1 817 678 and 1 817 577 to the point of commencement. The perimeter so described includes lots 1 817 449 to 1 817 466, 1 817 471 to 1 817 477, 1 817 479 to 1 817 495, 1 817 499 to 1 817 507, 1 817 511 to 1 817 574, 1 817 582 to 1 817 599, 1 817 601 to 1 817 632, 1 817 634 to 1 817 643 and 1 817 645 to 1 817 665, for a total of 175,477.7 square metres.

Parcel 4:

All lots or parts of lots of the cadastre of Québec and their successor lots contained within the following boundaries:

Commencing at a point on the northeast limit of lot 1 818 554 at its intersection with the east limit of lot 2 349 291 (rue Rouillard); from that point, southeasterly, the southwest limit of lot 1 818 537 to a point on the east limit of lot 1 818 691; from that point, southerly, the east limit of lots 1 818 691, 1 818 702, 1 818 727, 1 818 811 and 1 818 819 to a point on the northeast limit of lot 1 818 977; from that point, northwesterly, the northeast limit of lot 1 818 977 to a point on the east limit of lot 2 349 291 (rue Rouillard); from that point, northerly, the east limit of lot 2 349 291 (rue Rouillard) to the point of commencement. The perimeter so described includes lots 1 818 538 to 1 818 842, for a total of 292,795.6 square metres.

Regulations and other Acts

Gouvernement du Québec

O.C. 924-2009, 19 August 2009

An Act respecting the Ministère de l'Immigration et des Communautés culturelles
(R.S.Q., c. M-16.1)

Terms and conditions of the signing of certain deeds, documents and writings of the Ministère de l'Immigration et des Communautés culturelles

WHEREAS the Ministère de l'Immigration et des Communautés culturelles is subject to the Terms and conditions of the signing of certain deeds, documents and writings of the Ministère de l'Immigration et des Communautés culturelles made by Order in Council 844-2007 dated 26 September 2007 under the Act respecting the Ministère de l'Immigration et des Communautés culturelles (R.S.Q., c. M-16.1);

WHEREAS, under the second paragraph of section 14 of the Act respecting the Ministère de l'Immigration et des Communautés culturelles, a deed, document or writing is binding on the Minister or may be attributed to the Minister only if it is signed by the Minister, the Deputy Minister, a member of the personnel of the department or an employee and, in the last two cases, only to the extent determined by the Government;

WHEREAS, under section 9.1 of the Act respecting the Centre de services partagés du Québec (R.S.Q., c. C-8.1.1), a public body may enter into an agreement with another public body by which it agrees to provide services to that other public body, and the public body to which services are provided may, in the manner set out in its constituting Act, designate a member of the personnel of or the holder of a position within the body providing the services so that that person's signature may bind the public body to which services are provided and any document signed by that person may be attributed to the public body to which services are provided;

WHEREAS it is expedient to make new Terms and conditions of the signing of certain deeds, documents and writings of the Ministère de l'Immigration et des Communautés culturelles;

IT IS ORDERED, therefore, on the recommendation of the Minister of Immigration and Cultural Communities:

THAT the Terms and conditions of the signing of certain deeds, documents and writings of the Ministère de l'Immigration et des Communautés culturelles, attached to this Order in Council, be made;

THAT this Order in Council replace Order in Council 844-2007 dated 26 September 2007;

THAT this Order in Council come into force on the date of its publication in the *Gazette officielle du Québec*.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

SCHEDULE

TERMS AND CONDITIONS OF THE SIGNING OF CERTAIN DEEDS, DOCUMENTS AND WRITINGS OF THE MINISTÈRE DE L'IMMIGRATION ET DES COMMUNAUTÉS CULTURELLES

1. Any deed, document or writing signed, in accordance with the Act, by an associate deputy minister or assistant deputy minister of the Ministère de l'Immigration et des Communautés culturelles or, where applicable, by a person authorized to perform the duties of those persons on a provisional or interim basis, is binding on the Minister and may be attributed to the Minister as though the Minister had signed it himself or herself.

The same applies to a deed, document or writing listed in the following provisions when signed by a member of the personnel or employee of the department referred to therein or the person authorized to perform the duties of those persons on a provisional or interim basis, insofar as the person acts within his or her jurisdiction.

2. The director general of organization services is authorized to sign all the writings referred to in the first paragraph of section 1.

3. The director general of the Francization sector is authorized to sign a supply contract for less than \$50,000, a contract for professional or technical services for less than \$250,000, and any document pertaining to the promise and awarding of grants under a program whose standards are approved by the Conseil du trésor.

4. A director general is authorized to sign a supply contract for less than \$50,000, a contract for professional or technical services for less than \$100,000, and any document pertaining to the promise and awarding of grants under a program whose standards are approved by the Conseil du trésor.

5. A director of the Francization sector is authorized to sign a supply contract for less than \$25,000, a contract for professional or technical services for less than \$100,000, and any document pertaining to the promise and awarding of grants under a program whose standards are approved by the Conseil du trésor.

6. A regional director or a director is authorized to sign a supply contract for less than \$25,000, a contract for professional or technical services for less than \$50,000, and any document pertaining to the promise and awarding of grants under a program whose standards are approved by the Conseil du trésor.

7. The director of financial resources is also authorized to sign loan or investment contracts and advances of funds for less than \$25,000.

8. The director of material resources is also authorized to sign occupancy agreements for less than \$800,000 entered into with the Société immobilière du Québec.

9. A director in charge of information technologies or systems is also authorized to sign computer equipment supply contracts for less than \$100,000.

10. A head of service of the Francization sector is authorized to sign a supply contract for less than \$10,000 and a contract for professional or technical services for less than \$50,000.

11. An assistant director or a head of service is authorized to sign a supply contract for less than \$10,000 and a contract for professional or technical services for less than \$25,000.

12. A supply officer is authorized to sign a supply contract for less than \$5,000 and a contract for professional or technical services for less than \$5,000.

13. An administrative officer is authorized to sign a supply contract for less than \$1,000 and a contract for professional or technical services for less than \$1,000.

14. The director of public affairs and communications of the Ministère du Conseil exécutif and the director of legal affairs of the Ministère de la Justice are authorized to sign a supply contract for less than \$25,000 and a contract for professional or technical services for less than \$50,000.

9432

Gouvernement du Québec

O.C. 936-2009, 19 August 2009

An Act respecting off-highway vehicles
(R.S.Q., c. V-1.2)

Off-highway vehicles — Amendments

Snowmobiles — Amendments

All-terrain vehicles — Amendments

Regulation to amend the Regulation respecting off-highway vehicles and amending the Regulation respecting snowmobiles and the Regulation respecting all-terrain vehicles and to also amend the Regulation respecting all-terrain vehicles

WHEREAS the Act to amend the Act respecting off-highway vehicles (2009, chapter 18) came into force, with exceptions, on 10 June 2009;

WHEREAS subparagraph 3.0.1 of the first paragraph of section 46 of the Act respecting off-highway vehicles (R.S.Q., c. V-1.2), enacted by section 13 of the Act to amend the Act respecting off-highway vehicles, empowers the Government to make regulations prescribing special rules of use and traffic rules for an all-terrain vehicle modified in accordance with the first paragraph of section 21.1, standards with regard to the load such a vehicle may carry and any other standards with regard to the equipment or safety of the vehicle;

WHEREAS subparagraphs 11, 12 and 13 of the first paragraph of section 46 of the Act respecting off-highway vehicles empower the Government to make regulations, respectively,

(1) fixing the conditions to be met by persons applying to become trail security officers and fixing the rules of conduct to be observed by each such officer;

(2) establishing standards relating to signs or signals on trails and other areas of use referred to in the Act, including the conditions on which they are to be erected and the properties of the materials to be used to manufacture them;

(3) determining the obligations of the operator of an off-highway vehicle and those of passengers in or on such a vehicle, sleigh or trailer towed by an off-highway vehicle, and prohibiting certain behaviour or certain uses or practices in the area of use it indicates;

WHEREAS section 22 of the Act to amend the Act respecting off-highway vehicles provides that the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) does not apply to the first change made after 10 June 2009 to the Regulation respecting off-highway vehicles enacted by Order in Council 1222-2004 dated 21 December 2004 or the Regulation respecting all-terrain vehicles enacted by Order in Council 58-88 dated 13 January 1988 concerning the implementation of the changes made by the Act to amend the Act respecting off-highway vehicles to the Act respecting off-highway vehicles, including changes to signs, signals and patrols on the trails;

WHEREAS it is expedient to amend the Regulation respecting off-highway vehicles and amending the Regulation respecting snowmobiles and the Regulation respecting all-terrain vehicles and to also amend the Regulation respecting all-terrain vehicles;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and the Minister for Transport:

THAT the Regulation to amend the Regulation respecting off-highway vehicles and amending the Regulation respecting snowmobiles and the Regulation respecting all-terrain vehicles and to also amend the Regulation respecting all-terrain vehicles, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting off-highway vehicles and amending the Regulation respecting snowmobiles and the Regulation respecting all-terrain vehicles* and to also amend the Regulation respecting all-terrain vehicles**

An Act respecting off-highway vehicles
(R.S.Q., c. V-1.2, ss. 21.1 and 46;
2009, c. 18, ss. 8, 13 and 22)

1. The Regulation respecting off-highway vehicles and amending the Regulation respecting snowmobiles and the Regulation respecting all-terrain vehicles is amended by replacing its title by the following: “Regulation respecting off-highway vehicles”.

2. The following is inserted after section 1:

“**1.1.** An operator of an off-highway vehicle modified in accordance with the first paragraph of section 21.1 of the Act may not transport a passenger when using a portion of a trail having a steep ascending slope of 17% or more signposted in accordance with sections 17 and 24.1.

“**1.2.** An operator of an off-highway vehicle referred to in the first paragraph of section 21.1 of the Act may not, when transporting a passenger, transport a maximum load greater than that specified by the vehicle manufacturer.”.

3. The following is inserted after section 13:

“**13.1.** A trail security officer recruited by an association of off-highway vehicle clubs under paragraph 3 of section 37 of the Act must, in addition to the conditions provided for in section 13,

(1) have 2 years’ experience as a trail security officer;

* The Regulation respecting off-highway vehicles and amending the Regulation respecting snowmobiles and the Regulation respecting all-terrain vehicles was made by Order in Council 1222-2004 dated 21 December 2004 (2004, *G.O.* 2, 3627A) and has not been amended since.

** The Regulation respecting all-terrain vehicles, made by Order in Council 58-88 dated 13 January 1988 (1988, *G.O.* 2, 681), was last amended by the regulation made by Order in Council 660-2006 dated 28 June 2006 (2006, *G.O.* 2, 2136). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

(2) have taken a training program offered by the association of off-highway vehicle clubs that recruited the officer and complied with the requirements to successfully complete the program;

(3) not have been found guilty of or pleaded guilty to a criminal offence in the last 5 years unless a pardon has been granted;

(4) hold a driver's licence authorizing the officer, under the Highway Safety Code (R.S.Q., c. C-24.2), to drive a road vehicle on a public highway within the meaning of the Code; and

(5) hold a certificate issued by the association of off-highway vehicle clubs that recruited the officer attesting that the person identified by the certificate complies with the requirements in this section.”.

4. Section 17 is amended

(1) by inserting the following after subparagraph *e* of paragraph 1:

“(f) a P-130-58 sign indicating that it is prohibited to transport a passenger on a seat added to a vehicle modified in accordance with section 21.1 of the Act on any portion of a trail having a steep ascending slope of 17% or more;

(g) a P-230-P tab sign indicating the end of a requirement;

(h) a P-245-P-2 tab sign indicating the distance to travel before the requirement begins;”;

(2) by replacing “90°” in subparagraph *e* of paragraph 2 by “81° to 140°”;

(3) by inserting the following after subparagraph *e* of paragraph 2:

“(e.1) D-110-6-D and D-110-6-G signs indicating a curve of more than 140°;

(e.2) a D-230-11 sign indicating a steep ascending slope in a trail laid out for motorized all-terrain vehicle traffic;”.

5. Section 20 is amended

(1) by inserting the following after the second paragraph:

“Despite subparagraph 1 of the first paragraph, the dimensions of the P-130-58 sign may not be less than 300 mm x 600 mm.”;

(2) by replacing “D-10” in the third paragraph by “D-10-1”.

6. The following is inserted after section 20:

“**20.1.** The tab sign dimensions may not be less than 300 mm x 150 mm.”.

7. The following is inserted after section 24:

“**24.1.** Despite section 24, in the case of any portion of a trail having a steep ascending slope of 17% or more, that portion is signposted by means of warning and regulatory signs erected in the following order:

(1) a D-230-11 sign is erected 150 metres before the requirement begins;

(2) a P-130-58 sign accompanied by a P-245-P-2 tab sign is erected 75 metres before the requirement begins;

(3) a P-130-58 sign is erected where the requirement begins;

(4) a P-130-58 sign accompanied by a P-230-P tab sign is erected where the requirement ends.

For the purposes of subparagraphs 1 and 2 of the first paragraph, an off-highway vehicle club may have the distances provided for in those subparagraphs varied by plus or minus 10%.”.

8. Section 27 is amended

(1) by replacing “sections 1” by “the second paragraph of section 1, sections 1.1, 1.2, 2”;

(2) by adding the following paragraph at the end:

“Every operator of an off-highway vehicle who contravenes a provision of the first paragraph of section 1 is liable to the fine prescribed in section 59.1 of the Act.”.

9. The following is inserted after section 28:

“**28.1.** An off-highway vehicle club that contravenes a provision of subparagraph *a, f, g* or *h* of paragraph 1 or subparagraph *a, e, e.1* or *e.2* of paragraph 2 of section 17 or sections 22 to 24.1 is liable to the fine prescribed in section 53 of the Act.”.

10. Schedule 2 is amended by adding the following at the end:

“



P-130-58
Passenger in
added seat
prohibited
(300 x 600)



P-245-P-2
Distance to travel
before requirement
begins
(300 x 150)



P-230-P
Requirement
ends
(300 x 150)

”.

11. Schedule 3 is amended

(1) by replacing “Curve” under D-110-1-D sign by “81° to 140° curve”;

(2) by replacing “Curve” under D-110-1-G sign by “81° to 140° curve”;

(3) by inserting the following signs after D-90-1 and D-90-2 signs:

“



D-110-6-D
Curve more
than 140°
(300 x 300)



D-110-6-G
Curve more
than 140°
(300 x 300)



D-230-11
Steep
ascending slope
(300 x 300)

”.

12. Schedule 4 is amended by replacing “T-50-P” under the extent of roadwork tab sign by “T-250-P-3”.

13. Section 15 of the Regulation respecting all-terrain vehicles is revoked.

14. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Gouvernement du Québec

O.C. 939-2009, 19 August 2009

Building Act
(R.S.Q., c. B-1.1)

Construction Code
— Amendments

WHEREAS, under section 173 of the Building Act (R.S.Q., c. B-1.1), the Régie du bâtiment du Québec shall by regulation adopt a Building Code containing building standards for buildings, facilities intended for use by the public, installations independent of a building and petroleum equipment installations or their vicinity;

WHEREAS, under section 189 of the Act, every code or regulation of the Board is subject to approval by the Government which may approve it with or without amendment;

WHEREAS the Board adopted the Regulation to amend the Construction Code;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Construction Code was published in Part 2 of the *Gazette officielle du Québec* of 6 May 2009 with a notice that it could be approved by the Government, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS comments received were examined;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation to amend the Construction Code, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Construction Code*

Building Act

(R.S.Q., c. B-1.1, ss. 173, 178 and 185, 1st par., subpar. 38)

1. The Construction Code is amended in section 1.01

- (1) by striking out “and later editions” in the first paragraph;
- (2) by striking out “and new editions” and “or editions” in the second paragraph.

2. Section 1.06 is amended

- (1) by replacing “6.2.2.1.(1)” in subparagraph a of paragraph 1 by “6.2.2.1.(2)”;
- (2) by inserting the following after subparagraph c of paragraph 1:

“(c.1) by replacing the reference:

“

CSA	CAN/CSA-B72-M87	Installation Code for Lightning Protection Systems	6.3.1.4.(1)
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”

by the following reference:

“

CSA	CAN/CSA-B72-M87	Installation Code for Lightning Protection Systems	1.2.2.4.(9) [A]
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”;

- (3) by inserting the following after paragraph 9:

“(9.1) by replacing “d’au plus 45 min” in Clause (b) of Sentence (1) of Article 3.1.8.10 of the French text by “de plus de 45 min”;

- (4) by replacing “3.2.3.19.(1)” in subparagraph b of paragraph 22 by “3.2.3.20.(1)”;
- (5) by replacing “dimensional *guard*” in subparagraph a of paragraph 38 by “dimensions, *guards*”;
- (6) by replacing “sous-alinéa i)” in subparagraph a of paragraph 74 of the French text by “sous-alinéa ii)”;
- (7) by replacing “9.9.7.3.” in paragraph 99 by “9.9.7.4. (See note A-3.4.2.1.(2).)”;
- (8) by replacing “A-4.2.5.8.” in paragraph 113 by “A-4.2.5.8.(2)”;
- (9) by replacing in Table 10.10.1.1. in paragraph 121
 - (a) “and Sentence 3.3.1.1.” in Sentence 10.3.3.2.(1) by “and Article 3.3.1.1.”;

* The Construction Code, approved by Order in Council 953-2000 dated 26 July 2000 (2000, G.O. 2, 4203), was last amended by the regulation approved by Order in Council 294-2008 dated 19 March 2008 (2008, G.O. 2, 1022). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 September 2008.

- (b) “9.10.23.(3)” in Sentence 10.9.2.2.(2) by “9.10.22.3.(3)”;
- (c) “9.10.17.(2)” in Sentence 10.9.2.3.(1) by “9.10.17.10.(2)”.

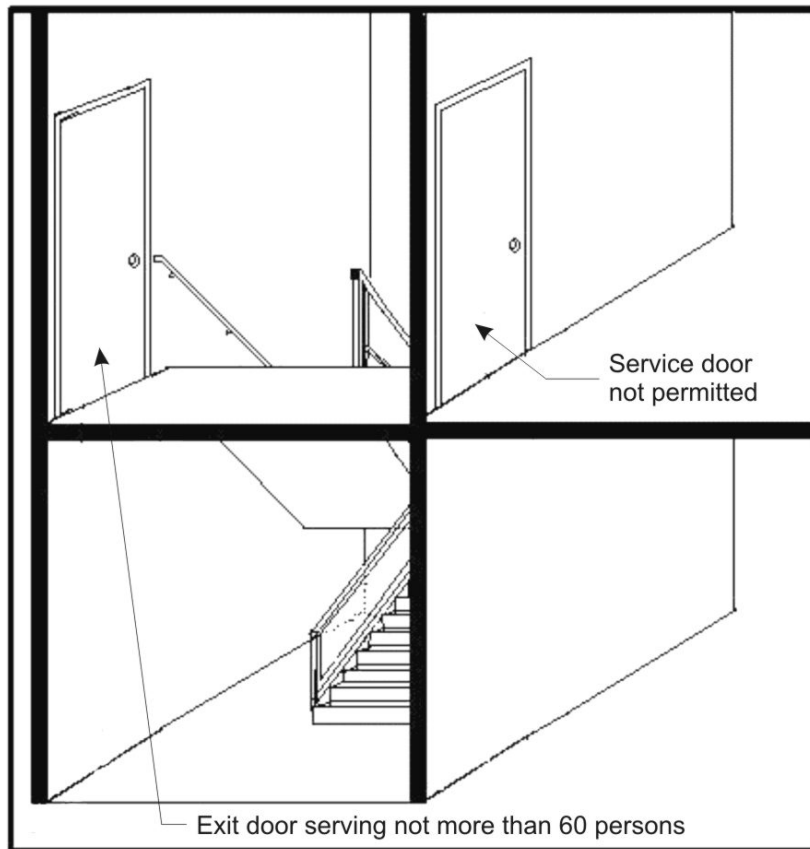
3. Section 1.09 is amended

- (1) by replacing paragraph 5 by the following:

“(5) by adding the following after note A-3.4.1.6.(2):

“**A-3.4.2.1.(2) Minimum Number of Exits.** When the only exit is separated and leads to the outside at a level other than the level it serves, no other access door shall be installed at that exit at a storey other than the storey served. This requirement is necessary to reduce the risk of smoke filling the only exit serving the floor area or parts of floor areas having access to that only exit. (See Figure A-3.4.2.1.(2).);

”;



- (2) by striking out paragraph 13;

(3) by replacing “qu’elle dessert” in the first paragraph of note A-10.3.4.1. of the French text of paragraph 19 by “qu’elles desservent” and by replacing “3.4.3.4.” in the first paragraph of note A-10.3.4.1. in paragraph 19 by “3.4.3.2.”.

4. Section 3.01 is amended

- (1) by striking out “and later editions” in the first paragraph;
- (2) by striking out “and new editions” and “or editions” in the second paragraph.

5. Section 3.04 is amended by striking out “(see Appendix A.)” in Sentence (1).**6.** Section 3.05 is amended

- (1) in paragraph 1,

- (a) by inserting the following after subparagraph d:

“(d.1) by replacing the reference:

“

CSA	CAN/CSA-B64.4-01	Reduced Pressure Principle (RP) Backflow Preventers	2.2.10.10.(1)
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”

by the following reference:

“

CSA	CAN/CSA-B64.4-01	Reduced Pressure Principle (RP) Backflow Preventers	2.2.10.10.(1) 2.6.2.4.(2) 2.6.2.4.(4)
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”;

(d.2) by replacing the reference:

“

CSA	CAN/CSA-B64.5-01	Double Check Valve (DCVA) Backflow Preventers	2.2.10.10.(1)
-----	------------------	-----------------------------------------------	---------------

”

by the following reference:

“

CSA	CAN/CSA-B64.5-01	Double Check Valve (DCVA) Backflow Preventers	2.2.10.10.(1) 2.6.2.4.(2)
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”;

(d.3) by replacing the reference:

“

CSA	CAN/CSA-B64.6-01	Dual Check Valve (DuC) Backflow Preventers	2.2.10.10.(1)
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”

by the following reference:

“

CSA	CAN/CSA-B64.6-01	Dual Check Valve (DuC) Backflow Preventers	2.2.10.10.(1) 2.6.2.4.(2)
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”;

(b) by replacing subparagraph f by the following:

“(f) by replacing the reference:

CSA	CAN/CSA-B70-02	Cast Iron Soil Pipe, Fittings, and Means of Joining	2.2.6.1.(1) 2.4.6.4.(2)
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by the following reference:

CSA	CAN/CSA-B70-06	Cast Iron Soil Pipe, Fittings, and Means of Joining	2.2.6.1.(1) 2.2.10.18.(1)
CSA	CSA-B79-05	Floor Drains, Area Drains, Shower Drains, and Cleanouts in Residential Construction	2.2.10.19.(1)

(c) by replacing subparagraph g by the following:

“(g) by replacing the reference:

CSA	CSA-B125.3-05	Plumbing Fittings	2.2.10.6.(1) 2.2.10.7.(2) 2.2.10.10.(2)
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by the following reference:

CSA	CSA-B125.3-05	Plumbing Fittings	2.2.10.6.(1) 2.2.10.7.(2) 2.2.10.10.(2) 2.2.10.21.(1)
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(d) by replacing subparagraph m by the following:

“(m) by inserting the following references:

CSA	CAN/CSA-B481 Serie 07	Grease Interceptors	2.2.3.2.(3)
CSA	CAN/CSA-B4 B483.1-07	Drinking Water Treatment Systems	2.2.10.17.(1) 2.2.10.17.(2) 2.2.10.17.(3) 2.2.10.17.(4) 2.2.10.17.(5)

after the reference:

“	CSA	CAN/CSA-356-00	Water Pressure Reducing Valves for Domestic Water Systems Supply	2.2.10.12.(1)	””;
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(e) by replacing “NSF/ANSI 53-2007e” in subparagraph o by “NSF/ANSI 53-2007a”;

(2) by adding the following after paragraph 6:

“(6.1) in Article 2.2.4.2., by replacing Sentence (1) by the following:

“(1) Subject to Article 2.4.3.7., a single or double sanitary T fitting shall not be used in a *nominally horizontal soil-or-waste pipe*, except that a single sanitary T fitting may be used to connect a *vent pipe*.”;

(3) by replacing “à au moins de 300 mm du fond de la fosse de retenue” in paragraph 21 of the French text by “à au moins 300 mm du fond de la fosse de retenue”;

(4) by inserting “and” at the end of subparagraph a of paragraph 25;

(5) by inserting the following after subparagraph b of paragraph 27:

“(b.1) by replacing Clause (e) of Sentence (1) by the following:

“(e) trap arms and fixture drains do not exceed 2 inches in size when connected to a wet vent that extends above more than 1 storey, except for connections from emergency floor drains in accordance with Sentence 2.5.1.1.(3);”;

(b.2) by replacing “Table 2.5.2.1” in Clause (f) of Sentence (1) by “Article 2.5.8.1.”;”;

(6) in paragraph 36,

(a) by inserting the following after subparagraph a:

“(a.1) by adding the following after Sentence (5) of Article 2.2.3.1.:

“	(6)	[F81-OH1.1]	””;
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(b) by inserting the following after subparagraph m:

“(m.1) by striking out Article 2.4.6.5.”;

(7) by striking out paragraph 37;

(8) by replacing note A-2.4.2.1.(7) in paragraph 39 by the following:

“A-2.4.2.1.(7) and (8) Suds Pressure Zones Connections

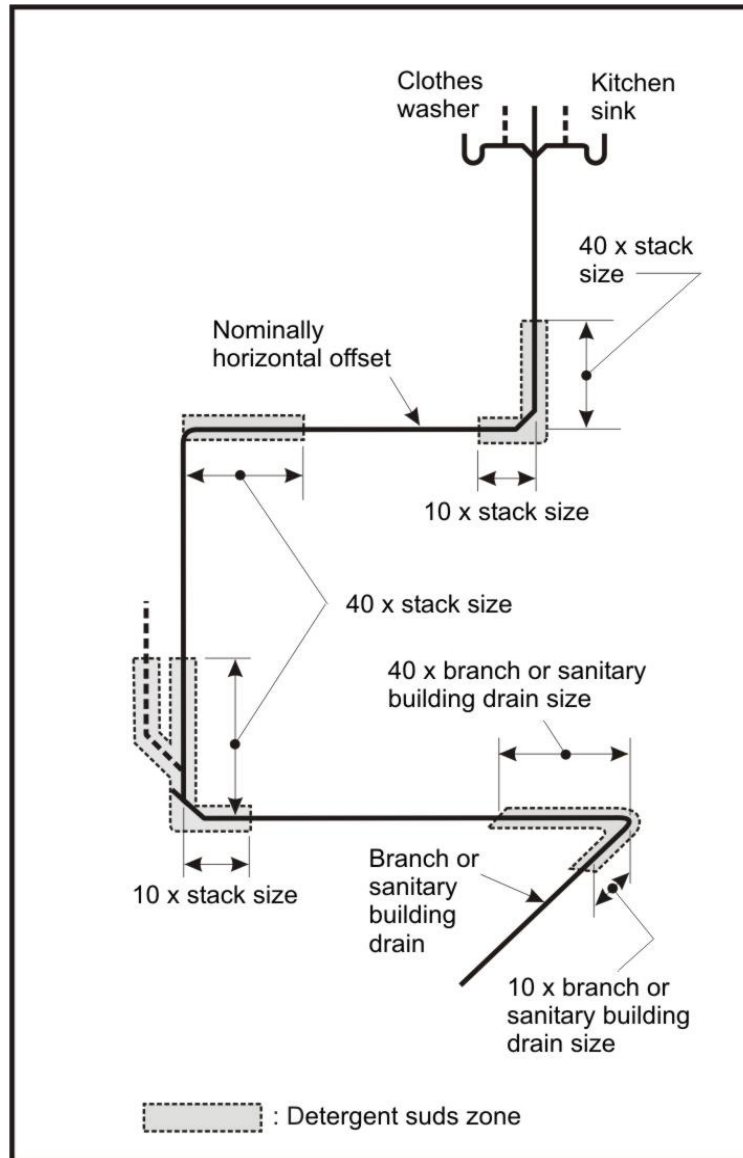
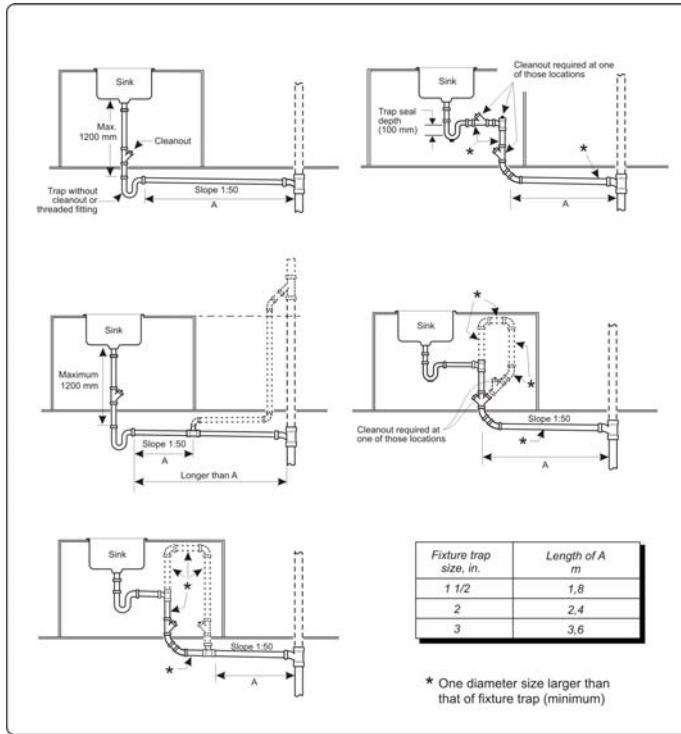
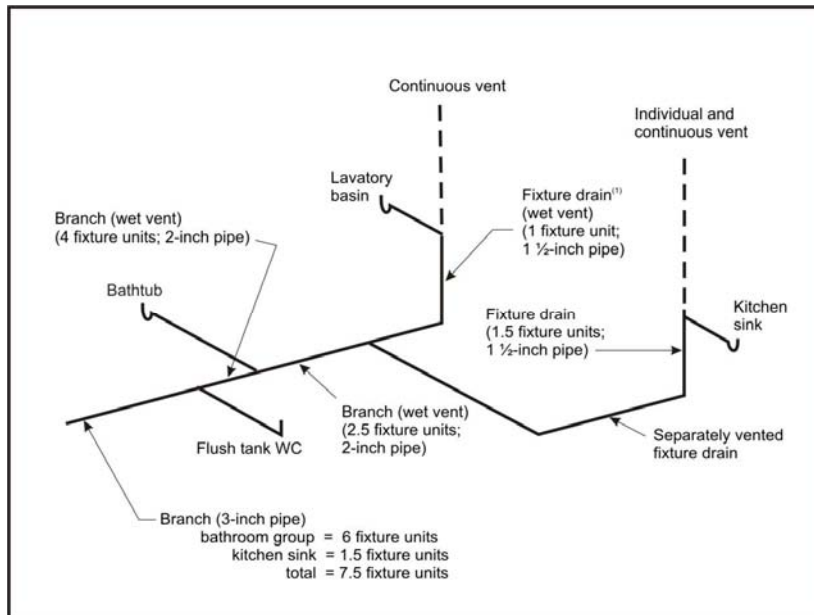


Figure A-2.4.2.1.(7) and (8)
Suds Pressure Zones Connections.”;

(9) by replacing Figure A-2.4.8.2.(1) in paragraph 45 by the following:



(10) by replacing Figure A-2.5.2.1. in subparagraph b of paragraph 46 by the following:



7. Section 3.06 is amended

(1) by replacing Clause (b) of Sentence (1) of Article 2.2.2.2 by the following:

“(b) an elevation view of the location of *fixtures* and *traps*, the dimension of drains, *leaders*, *soil-or-waste stacks*, *stack vents* and *vent stacks* as well as the *water distribution system*;”;

(2) by adding the following after paragraph 4:

“(5) by striking out note A-2.3.1.”.

8. Section 5.01 is amended

(1) by striking out “and editions” in the first paragraph;

(2) by striking out “and new editions” and “or editions” in the second paragraph.

9. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Draft Regulations

Draft Regulation

An Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01)

Threatened or vulnerable plant species and their habitats — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting threatened or vulnerable plant species and their habitats, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting threatened or vulnerable plant species and their habitats in order to designate, in addition to the 43 existing threatened species, 7 new threatened species: forked three-awned grass (*Aristida basiramea* Engelm ex Vasey), glacier sedge (*Carex glacialis* Mackenzie) [populations of the Côte-Nord administrative region], dense whitlowgrass (*Draba pycnosperma* Fernald & C.H. Knowlton), southern twayblade (*Listera australis* Lindley), spotted beebalm (*Monarda punctata* Linnaeus var. *villicaulis* (Pennell) E.J. Palmer & Steyermark), meadow barley (*Hordeum brachyantherum* Nevski subsp. *brachyantherum*) and purple cliffbrake (*Pellaea atropurpurea* (Linnaeus) Link).

The draft Regulation also designates, in addition to the 16 existing vulnerable species, 2 new vulnerable species: lanceleaf arnica (*Arnica lanceolata* Nuttall subsp. *lanceolata*) [populations of Capitale-Nationale, Chaudière-Appalaches and Estrie administrative regions] and flax-leaf aster (*Ionactis linariifolia* (Linnaeus) E.L. Greene).

Lastly, the draft Regulation updates the taxonomy of 24 already designated plant species.

Further information on the draft Regulation may be obtained by contacting:

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E-mail: patrick.beauchesne@mddep.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Direction du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement et des Parcs at the above-mentioned address.

NATHALIE NORMANDEAU,
Minister of Natural Resources and Wildlife

LINE BEAUCHAMP,
*Minister of Sustainable Development,
Environment and Parks*

SERGE SIMARD,
Minister for Natural Resources and Wildlife

Regulation to amend the Regulation respecting threatened or vulnerable plant species and their habitats*

An Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01, s. 10)

1. The Regulation respecting threatened or vulnerable plant species and their habitats is amended in section 2

(1) by replacing

(a) “l’arnica de Griscom sous-espèce de Griscom (*Arnica griscomii* Fernald subsp. *griscomii*)” in the French text by “l’arnica de Griscom (*Arnica griscomii* Fernald subsp. *griscomii*)”;

(b) “l’asclépiade tubéreuse variété de l’intérieur (*Asclepias tuberosa* (Linnaeus) var. *interior* (Woodson) Shinners)” in the French text by “l’asclépiade tubéreuse (*Asclepias tuberosa* (Linnaeus) var. *interior* (Woodson) Shinners)”;

* The Regulation respecting threatened or vulnerable plant species and their habitats, made by Order in Council 757-2005 dated 17 August 2005 (2005, G.O. 2, 3611), has not been amended since it was made.

(c) “l’aster du Saint-Laurent (*Symphyotrichum laurentianum* (Fernald) Nesom)” in the French text by “l’aster du golfe Saint-Laurent (*Symphyotrichum laurentianum* (Fernald) Nesom)”;

(d) “l’astragale de Robbins variété de Fernald (*Astragalus robbinsii* (Oakes) A. Gray var. *fernaldii* (Rydberg) Barneby)” in the French text by “l’astragale de Fernald (*Astragalus robbinsii* (Oakes) A. Gray var. *fernaldii* (Rydberg) Barneby)”;

(e) “l’athyrie alpestre sous-espèce américaine (*Athyrium alpestre* (Hoppe) Clairville subsp. *americanum* (Butters) Lellinger)” in the French text by “l’athyrie alpestre (*Athyrium alpestre* (Hoppe) Clairville subsp. *americanum* (Butters) Lellinger)”;

(f) “false hop sedge (*Carex lupuliformis* Sartwell)” by “false hop sedge (*Carex lupuliformis* Sartwell ex Dewey)”;

(g) “meadow thistle (*Cirsium scariosum* Nuttall)” by “meadow thistle (*Cirsium scariosum* Nuttall var. *scariosum*)”;

(h) “la cicutaire maculée variété de Victorin (*Cicuta maculata* Linnaeus var. *victorinii* (Fernald) Boivin)” in the French text by “la cicutaire de Victorin (*Cicuta maculata* Linnaeus var. *victorinii* (Fernald) Boivin)”;

(i) “autumn coral-root (*Corallorhiza odontorhiza* (Willdenow) Poiret var. *pringlei* (Greenman) Freudenstein)” by “autumn coralroot (*Corallorhiza odontorhiza* (Willdenow) Poiret var. *odontorhiza*)”;

(j) “dwarf huckleberry (*Gaylussacia dumosa* (Andrews) Torrey & A. Gray var. *bigeloviana* Fernald)” by “dwarf huckleberry (*Gaylussacia bigeloviana* (Fernald) Sorrie & Weakley)”;

(k) “Macoun’s fringed gentian (*Gentianopsis procera* (Th. Holm) Ma subsp. *macounii* (Th. Holm) Iltis var. *macounii*) where it grows in the territory of Municipalité régionale de comté de Bonaventure” by “Macoun’s fringed gentian (*Gentianopsis virgata* (Rafinesque) Holub subsp. *macounii* (Th. Holm) J.S. Pringle) where it grows in the territory of Municipalité régionale de comté de Bonaventure”;

(l) “Victorin’s gentian (*Gentianopsis procera* (Th. Holm) Ma subsp. *macounii* (Th. Holm) Iltis var. *victorinii* (Fernald) Iltis)” by “Victorin’s gentian (*Gentianopsis virgata* (Rafinesque) Holub subsp. *victorinii* (Fernald) Lammers)”;

(m) “slender muhly (*Muhlenbergia tenuiflora* (Willdenow) Britton, Sterns and Poggenburg var. *tenuiflora*)” by “slender muhly (*Muhlenbergia tenuiflora* (Willdenow) Britton, Sterns and Poggenburg)”;

(n) “l’onosmodie velue variété hispide (*Onosmodium bejariense* A. de Candolle var. *hispidissimum* (Mackenzie) B.L. Turner)” in the French text by “l’onosmodie hispide (*Onosmodium bejariense* A. de Candolle var. *hispidissimum* (Mackenzie) B.L. Turner)”;

(o) “la sagittaire à sépales dressés sous-espèce des estuaires (*Sagittaria montevidensis* Chamisso & Schlechtendal subsp. *spongiosa* (Engelmann) C. Bogin)” in the French text by “la sagittaire des estuaires (*Sagittaria montevidensis* Chamisso & Schlechtendal subsp. *spongiosa* (Engelmann) C. Bogin)”;

(p) “la verge-d’or simple variété à bractées vertes (*Solidago simplex* Kunth subsp. *simplex* var. *chlorolepis* (Fernald) Ringius)” in the French text by “la verge-d’or à bractées vertes (*Solidago simplex* Kunth subsp. *simplex* var. *chlorolepis* (Fernald) Ringius)”;

(q) “Provancher’s fleabane (*Erigeron philadelphicus* Linnaeus subsp. *provancheri* (Victorin and Rousseau) J.K. Morton)” by “Provancher’s fleabane (*Erigeron philadelphicus* Linnaeus var. *provancheri* (Marie-Victorin & J. Rousseau) B. Boivin)”;

(r) “la woodsie à lobes arrondis sous-espèce à lobes arrondis (*Woodsia obtusa* (Sprengel) Torrey subsp. *obtusa*)” in the French text by “la woodsie à lobes arrondis (*Woodsia obtusa* (Sprengel) Torrey subsp. *obtusa*)”;

(2) by inserting the following in the same order as the French text:

— forked three-awned grass (*Aristida basiramea* Engelmann ex Vasey);

— glacier sedge (*Carex glacialis* Mackenzie), populations of the Côte-Nord administrative region;

— dense whitlowgrass (*Draba pycnosperma* Fernald & C.H. Knowlton);

— southern twayblade (*Listera australis* Lindley);

— spotted beebalm (*Monarda punctata* Linnaeus var. *villicaulis* (Pennell) E.J. Palmer & Steyermark);

— meadow barley (*Hordeum brachyantherum* Nevski subsp. *brachyantherum*);

— purple cliffbrake (*Pellaea atropurpurea* (Linnaeus) Link)”.

2. Section 3 is amended

(1) by replacing

(a) “l’asaret gingembre (*Asarum canadense* Linnaeus)” in the French text by “l’asaret du Canada (*Asarum canadense* Linnaeus)”;

(b) “Douglas’ knotweed (*Polygonum douglasii* E.L. Greene subsp. *douglasii*)” by “Douglas’ knotweed (*Polygonum douglasii* E.L. Greene)”;

(c) “le sumac aromatique variété aromatique (*Rhus aromatica* Aiton var. *aromatica*)” in the French text by “le sumac aromatique (*Rhus aromatica* Aiton var. *aromatica*)”;

(d) “l’uvulaire grande-fleur (*Uvularia grandiflora* J.E. Smith)” in the French text by “l’uvulaire à grandes fleurs (*Uvularia grandiflora* J.E. Smith)”;

(e) “marsh valerian (*Valeriana uliginosa* (Torrey and A. Gray) Rydberg ex Britton)” by “marsh valerian (*Valeriana uliginosa* (Torrey & A. Gray) Rydberg ex Britton)”;

(2) by inserting the following in the same order as the French text:

— “lanceleaf arnica (*Arnica lanceolata* Nuttall subsp. *lanceolata*) populations of Capitale-Nationale, Chaudière-Appalaches and Estrie administrative regions;

— flax-leaf aster (*Ionactis linariifolia* (Linnaeus) E.L. Greene) “.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

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